

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

**ISIDORO ROFFE COHEN;
ELIZABETH ROFFE**

Debtors

CASE NO. 13-09590(ESL)

Chapter 7

MOTION TO WITHDRAW UNCLAIMED FUNDS

TO THE HONORABLE COURT:

COMES NOW **I & A INVESTMENT, LLC**, (hereinafter “**I & A INVESTMENT, LLC**”), represented by its undersigned attorneys, and very respectfully alleges, states and prays:

1. On April 24, 2019 (Docket No. 382), the Chapter 7 trustee filed a Report of Trustee Pursuant to Bankruptcy Rule 3011, reporting that **I & A INVESTMENT** did not cash within 90 days of issuance its dividend check for Claim No. 4(b) in the amount of \$172,982.91.

2. Accordingly, the Chapter 7 trustee consigned with the Clerk of the Court a check in the amount of \$173,483.45, in compliance with 11 U.S.C. 347(a).

3. **I & A INVESTMENT** did not receive the distribution check mailed by the Chapter 7 trustee.

4. **I & A INVESTMENT** now moves the Court to withdraw the unclaimed funds deposited with the Clerk of the Court.

5. The tax identification of **I & INVESTMENT, LLC** is #66-08979155.

WHEREFORE, it is respectfully requested that this Honorable Court enter an order authorizing the issuance by the Clerk of the Court of a check to the order of **I & A**

INVESTMENT, LLC for the unclaimed monies herein, the sum of \$172,982.91, and that it be delivered to the undersigned counsel.

NOTICE OF RESPONSE TIME

Within fourteen (14) days after service is evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were serviced by mail, any party against whom this motion has been served and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the district of Puerto Rico. If no objection or other response is filed within the time allowed herein, the motion will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

WE HEREBY CERTIFY that a copy of the *Motion to Withdraw Unclaimed Funds* was electronically filed by Movant using the CM/ECF System, which will send a notification to the Chapter 7 Trustee, Noreen Wiscovitch Rentas, Trustee, noreen@nwr-law.com, the US Trustee and to the debtor's attorney. In addition, a copy of the *Motion to Withdraw Unclaimed Funds* was sent by Movant to the debtors at the address of record and to the US attorney for the District of Puerto Rico.

San Juan, Puerto Rico, this 29th day of April, 2019.

s/SERGIO A. RAMIREZ DE ARELLANO
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